

Appln No. 09/383,114

Amdt date September 7, 2005

Reply to Office action of July 22, 2005

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A method for treating ~~a patient~~ with prostate carcinoma in a patient comprising intravenous administration of a solution of Rhodamine-123 in ethyl alcohol and water in an amount sufficient to effect *in vivo* destruction of prostate ~~cancer~~ carcinoma cells.

2. (Currently Amended) A method for treating ~~a patient~~ with prostate cancer in a patient who has ~~and having~~ a PSA level above about 5, the method comprising measuring the PSA level in the blood of the patient, administering Rhodamine-123 to the patient in an amount sufficient to effect *in vivo* destruction of prostate cancer cells, and thereafter measuring the patient's PSA level to confirm the destruction of prostate cancer cells in the patient.

3. (Currently Amended) The method according to claim 2 ~~which includes the~~ wherein said step of measuring the patient's PSA level is done before and after treatment, and administering sufficient Rhodamine-123 to substantially decrease the level of PSA in the blood of the patient.

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4. (Previously Presented) The method according to claim 1, 2 or 3 which includes injecting the patient with about 250 ml of a solution containing Rhodamine-123.

5. (Previously Presented) The method according to claim 1, 2, or 3 in which the administration of Rhodamine-123 is completed within about four hours.

6. (Previously Presented) The method according to claim 1, 2, or 3 in which the patient is treated with up to about 30 mg Rhodamine-123 per kg of body weight every other day.

7. (Previously Presented) The method according to claim 1, 2, or 3 in which the patient is treated with between about 0.2 and about 15 mg of Rhodamine-123 per kg of patient body weight.

8. (Previously Presented) The method according to claim 1, 2, or 3 in which the patient is administered the solution of Rhodamine-123 at intervals of at least 24 hours, and in increasing amounts until the patient exhibits evidence of toxicity due to the Rhodamine-123, and thereafter administering Rhodamine-123 to the patient in an amount and at a rate less than that which causes toxicity.

9. (Currently Amended) A solution ~~for treating a patient with which treats~~ carcinoma ~~[[,]] the solution in a patient~~ comprising ethyl alcohol and an effective amount of Rhodamine-123 dissolved in water.

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10. (Previously Presented) The solution according to claim 9 which includes dissolved sugar susceptible to metabolic assimilation.

11. (Previously Presented) The solution according to claim 10 in which the sugar is selected from the group consisting of dextrose, glucose, and fructose.

12. (Previously Presented) The solution according to claim 10 or 11 in which the sugar is present by an amount equal to about 5% by weight.

13. (Previously Presented) The solution according to claim 9, 10, or 11 in which the ethyl alcohol is present in an amount between about 0.2% and about 5% by volume.

14. (Currently Amended) A stock solution for preparing an administration solution ~~for treating~~ which treats carcinoma in a patient, the stock solution comprising Rhodamine-123 dissolved in ethyl alcohol.

15. (Previously Presented) The stock solution according to claim 14 in which the solution contains about 95% ethyl alcohol by volume and about 5% sterile water by volume.

16. (Previously Presented) The solution according to claim 14 or 15 in which the Rhodamine-123 is present in an amount between about 4 and about 25 mg/ml of solution.

17. (Currently Amended) A method for treating ~~a patient~~ with prostate cancer in a patient who has ~~and having~~ a PSA level

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above about 5, the method comprising oral administration of Rhodamine-123 in a pill which releases the Rhodamine-123 for absorption by the patient, and in an amount sufficient to effect *in vivo* destruction of prostate cancer cells in the patient, measuring the patient's PSA level after treatment, and thereafter administering Rhodamine-123 to the patient at a rate sufficient to substantially decrease the patient's PSA level.

18. (Previously Presented) The method according to claim 17 in which the pill releases between about 0.2 and about 30 mg of Rhodamine-123 per kg of patient body weight.

19. (Previously Presented) The method according to claim 17 or 18 in which the Rhodamine-123 is released within between about 2 and about 24 hours.

20. (Currently Amended) A method for treating prostate carcinoma in ~~prolonging human life of~~ a patient with prostate carcinoma, the method comprising treating the patient by dissolving Rhodamine-123 in a solvent which includes ethyl alcohol to form a stock solution, diluting the stock solution with water to form a treatment solution which includes Rhodamine-123, water and ethyl alcohol, and administering the treatment solution to the patient in an amount sufficient to effect *in vivo* destruction of prostate carcinoma cells.

21. (Previously Presented) The method according to claim 20 which includes the step of measuring the patient's PSA level before and after treatment, and administering sufficient

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Rhodamine-123 to substantially decrease the level of PSA in the blood of the patient.

22. (Previously Presented) The method according to claim 20 or 21 which includes injecting the treatment solution intravenously.

23. (Previously Presented) The method according to claim 20 or 21 in which the stock solution contains between about 4 and about 25 mg of Rhodamine-123 per liter.

24. (Previously Presented) The method according to claims 20 or 21 in which the treatment solution contains between about 0.2% and about 5% ethyl alcohol by volume.

25. (Currently Amended) A method for treating ~~a patient with prostate cancer~~ in a patient who has ~~and having~~ a PSA level above about 5, the method comprising measuring the prostate specific acid phosphatase level in the blood of the patient, administering Rhodamine-123 to the patient in an amount sufficient to effect *in vivo* destruction of prostate cancer cells, and thereafter measuring the patient's prostate specific acid phosphatase level to confirm the destruction of prostate cancer cells in the patient.

26. (Previously Presented) The method according to claim 25 which includes the step of measuring the patient's prostate specific acid phosphatase level before and after treatment, and administering sufficient Rhodamine-123 to substantially decrease

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the level of prostate specific acid phosphatase in the blood of the patient.

27. (Currently Amended) A method for treating prostate cancer in a patient ~~with prostate cancer~~ comprising dissolving Rhodamine-123 in a solvent which includes ethyl alcohol to form a stock solution, diluting the stock with water to form a treatment solution which includes Rhodamine-123, water and ethyl alcohol, administering the treatment solution to the patient in an amount sufficient to effect *in vivo* destruction of prostate cancer cells, measuring the patient's prostate specific acid phosphatase level before and after treatment, and administering sufficient Rhodamine-123 to substantially decrease the level of prostate specific acid phosphatase in the blood of the patient.

28. (Currently Amended) ~~The~~ A method for treating carcinoma in ~~prolonging human life of~~ a patient ~~with carcinoma,~~ ~~the method~~ comprising intravenous administration of a solution of Rhodamine-123 in ethyl alcohol and water in an amount sufficient to effect *in vivo* destruction of carcinoma cells.

29. (Currently Amended) A method for treating carcinoma in ~~prolonging human life of~~ a patient ~~with carcinoma,~~ ~~the method~~ comprising administering Rhodamine-123 to the patient in an amount sufficient to effect *in vivo* destruction of carcinoma cells.

30. (Currently Amended) A method for treating prostate cancer in a patient ~~with prostate cancer~~ ~~the method~~ comprising administering Rhodamine-123 to the patient in an

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amount sufficient to effect in vivo destruction of prostate cancer cells.